

COMMITTEE REPORT

MR. PRESIDENT:

The Senate Committee on Legislative Apportionment and Elections, to which was referred Senate Bill No. 403, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

1 Page 1, between lines 4 and 5, begin a new paragraph and insert:
2 "SECTION 2. IC 3-5-2-40.6 IS ADDED TO THE INDIANA CODE
3 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE
4 JANUARY 1, 2003]: **Sec. 40.6. "Provisional ballot" refers to a**
5 **ballot cast in accordance with the provisions of IC 3-11.7."**

6 Page 4, line 4, strike "voters" and insert "**individuals who meet the**
7 **requirements of section 7 or 39 of this chapter"**.

8 Page 7, line 32, delete "has" and insert "**may have**".

9 Page 7, line 36, after "complaint." insert "**However, the attorney**
10 **general may exclude from the report any information the**
11 **disclosure of which the attorney general believes may impair any**
12 **pending investigation."**

13 Page 7, between lines 36 and 37, begin a new paragraph and insert:

14 "**Sec. 4. (a) In conducting an investigation under this chapter,**
15 **the attorney general shall have the following powers:**

16 **(1) To issue and serve subpoenas requiring:**

17 **(A) the appearance of a witness in person before the**
18 **attorney general or any person designated by the attorney**
19 **general; or**

20 **(B) the production of books, papers, electronic data, and**

- 1 documents or other things.
- 2 (2) To question witnesses.
- 3 (3) To require witnesses to give testimony under oath.
- 4 (4) To transcribe testimony provided by witnesses.
- 5 (5) To copy, examine, or inspect, or cause to be copied,
- 6 examined, or inspected, any books, papers, electronic data,
- 7 records of investigations, summaries of investigations, and
- 8 documents or other things contained or found in any public
- 9 office or other place (including, without limitation, evidence
- 10 under the control of the state police department, local law
- 11 enforcement personnel, prosecuting attorneys, clerks of court,
- 12 county election boards, county boards of registration, and
- 13 boards of elections and registration), whether or not the
- 14 books, papers, electronic data, records of investigations,
- 15 summaries of investigations, and documents or other things
- 16 are or contain confidential information. The attorney general
- 17 shall maintain the confidentiality of any information obtained
- 18 under this subdivision.
- 19 (6) To examine, inspect, or test, or cause to be examined,
- 20 inspected, or tested, any machine, computer, or other thing.
- 21 (7) To issue a civil investigative demand under IC 4-6-3.
- 22 (8) To apply to a court to enforce a subpoena, civil
- 23 investigative demand, or any other investigative request
- 24 issued under this chapter.
- 25 (9) To exercise all of the investigative powers of a prosecuting
- 26 attorney.
- 27 (b) Only the attorney general or a person designated by the
- 28 attorney general may exercise the powers provided in this section.
- 29 **Sec. 5. The commission shall reimburse in full the investigative**
- 30 **costs (including the cost of any special deputy attorney general and**
- 31 **payroll expenses) incurred by the attorney general under this**
- 32 **chapter upon the attorney general's certification to the commission**
- 33 **of the amount of the investigative costs."**
- 34 Page 8, line 17, delete "an absent uniformed services voter" and
- 35 insert "a person".
- 36 Page 8, line 22, after "who" insert "is absent from Indiana during
- 37 the registration period described in IC 3-7-13-10 and who".
- 38 Page 8, line 24, after "return" insert "returning to Indiana during

- 1 **the period described in subsection (a) following".**
- 2 Page 8, line 29, strike "An honorable" and insert "A".
- 3 Page 8, line 32, after "day." insert ", **dated not earlier than the**
- 4 **beginning of the registration period that ended on the date**
- 5 **described in IC 3-7-13-11,".**
- 6 Page 8, line 36, after "orders" insert ", **with a reporting date not**
- 7 **earlier than the beginning of the registration period that ended on**
- 8 **the date described in IC 3-7-13-11,".**
- 9 Page 8, between lines 40 and 41, begin a new paragraph and insert:
- 10 **"(c) A voter who registers under this section may vote at the**
- 11 **upcoming election as provided in this title.".**
- 12 Page 9, line 1, delete "an absent".
- 13 Page 9, line 2, delete "uniformed services voter" and insert "a
- 14 **person".**
- 15 Page 9, line 7, after "who" insert "**is absent from Indiana during**
- 16 **the registration period described in IC 3-7-13-10 and who".**
- 17 Page 9, line 8, after "upon" insert "**returning to Indiana during the**
- 18 **period described in subsection (a) following".**
- 19 Page 9, line 12, delete " An honorable" and insert "A".
- 20 Page 9, line 12, after "service" insert ", **dated not earlier than the**
- 21 **beginning of the registration period that ended on the date**
- 22 **described in IC 3-7-13-11,".**
- 23 Page 9, line 16, after "orders" insert ", **with a reporting date not**
- 24 **earlier than the beginning of the registration period that ended on**
- 25 **the date described in IC 3-7-13-11,".**
- 26 Page 9, line 21, delete "next" and insert "**upcoming".**
- 27 Page 9, line 23, delete "." and insert "**or at any time after the voter**
- 28 **registers under this section and before noon on election day.".**
- 29 Page 11, delete lines 23 through 24.
- 30 Page 11, delete lines 27 through 42.
- 31 Page 12, delete lines 1 through 10.
- 32 Page 13, line 17, after "in person" delete ",."
- 33 Page 13, line 17, strike "including a person eligible to".
- 34 Page 13, line 18, strike "vote under IC 3-10-11 or IC 3-10-12,".
- 35 Page 13, line 40, after "in person" delete ",."
- 36 Page 13, line 40, strike "including a person eligible to vote under
- 37 IC 3-10-11 or".
- 38 Page 13, line 41, strike "IC 3-10-12,".

- 1 Page 14, line 4, after "in person" delete ",".
- 2 Page 14, line 5, strike "including a person eligible to vote under
- 3 IC 3-10-11 or IC 3-10-12,".
- 4 Page 17, line 35, delete "a" and insert "**an absent uniformed**
- 5 **services**".
- 6 Page 17, line 36, delete "described in subsection (g)".
- 7 Page 20, between lines 17 and 18, begin a new line block indented
- 8 and insert:
- 9 "**(8) The voter is eligible to vote under IC 3-10-11 or**
- 10 **IC 3-10-12.**".
- 11 Page 22, line 2, after "under" insert "**IC 3-7-48-1, IC 3-7-48-5,**".
- 12 Page 22, line 2, after "IC 3-7-48-7" delete ";" and insert ",
- 13 **IC 3-10-10, IC 3-10-11-2, or IC 3-10-12;**".
- 14 Page 22, line 30, after "under" insert "**IC 3-7-48-1, IC 3-7-48-5,**".
- 15 Page 22, line 30, after "IC 3-7-48-7," insert "**IC 3-10-10,**
- 16 **IC 3-10-11-2, or IC 3-10-12,**".
- 17 Page 27, between lines 31 and 32, begin a new line block indented
- 18 and insert:
- 19 "**(8) The voter is eligible to vote under IC 3-10-11 or**
- 20 **IC 3-10-12.**".
- 21 Page 33, between lines 41 and 42, begin a new line block indented
- 22 and insert:
- 23 "**(3) United States Representative;**".
- 24 Page 33, line 42, delete "(3)" and insert "**(4)**".
- 25 Page 34, line 1, delete "(4)" and insert "**(5)**".
- 26 Page 34, delete lines 18 through 31.
- 27 Page 34, line 32, delete "7" and insert "**6**".
- 28 Page 34, line 35, delete "8" and insert "**7**".
- 29 Page 34, line 38, delete "9" and insert "**8**".
- 30 Page 35, delete line 4.
- 31 Page 35, line 5, delete "(2)" and insert "**(1)**".
- 32 Page 35, line 6, delete "(3)" and insert "**(2)**".
- 33 Page 35, line 6, after "under" insert "**IC 3-7-48-1, IC 3-7-48-5,**".
- 34 Page 35, line 6, after "IC 3-7-48-7" delete ";" and insert ",
- 35 **IC 3-10-10, IC 3-10-11-2, or IC 3-10-12;**".
- 36 Page 38, delete lines 26 through 28.
- 37 Page 38, line 29, delete "7" and insert "**6**".
- 38 Page 38, line 31, delete "8" and insert "**7**".

- 1 Page 38, line 38, delete "9" and insert "**8**".
- 2 Page 39, line 1, delete "10" and insert "**9**".
- 3 Page 39, line 2, delete "9" and insert "**8**".
- 4 Page 39, line 4, delete "11" and insert "**10**".
- 5 Page 39, line 6, delete "12" and insert "**11**".
- 6 Page 39, line 10, delete "13" and insert "**12**".
- 7 Page 39, line 13, delete "14" and insert "**13**".
- 8 Page 39, line 18, delete "8" and insert "**7**".
- 9 Page 39, line 19, delete "15" and insert "**14**".
- 10 Page 39, line 32, delete "16" and insert "**15**".
- 11 Page 39, line 36, delete "17" and insert "**16**".
- 12 Page 39, line 42, delete "18" and insert "**17**".
- 13 Page 40, line 1, delete "16" and insert "**15**".
- 14 Page 40, line 4, delete "19" and insert "**18**".
- 15 Page 40, line 23, delete "20" and insert "**19**".
- 16 Page 40, line 32, delete "21" and insert "**20**".
- 17 Page 40, line 33, delete "20" and insert "**19**".
- 18 Page 40, line 34, delete "22" and insert "**21**".
- 19 Page 40, line 37, delete "23" and insert "**22**".
- 20 Page 40, line 38, delete "22" and insert "**21**".
- 21 Page 41, line 2, delete "24" and insert "**23**".
- 22 Page 41, line 5, delete "25" and insert "**24**".
- 23 Page 41, line 10, delete "26" and insert "**25**".
- 24 Page 41, line 14, delete "27" and insert "**26**".

- 1 Page 41, line 22, delete "28" and insert "**27**".
- 2 Page 41, line 26, delete "29" and insert "**28**".
- 3 Renumber all SECTIONS consecutively.
(Reference is to SB 403 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 10, Nays 0.

Landske

Chairperson